
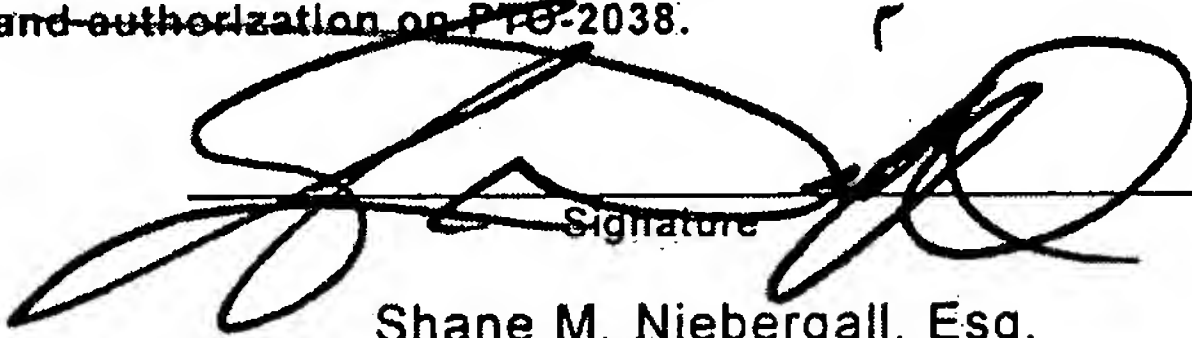


|   |   |  |                                  |                         |   |  |                  |                                |
|---|---|--|----------------------------------|-------------------------|---|--|------------------|--------------------------------|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO<br/>THE BOARD OF PATENT APPEAL AND INTERFERENCES</b>   |   | Docket Number (Optional)<br>52438.830008.US1 |                                  |                         |   |  |                  |                                |
| I hereby certify that this correspondence is being submitted via electronic submission address to Mail Stop AF "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]<br>on <u>10-8-07</u><br>Signature <u></u><br>Type or printed name <u>Amber Tamborello</u>  | In re Application of: Koch, Kevin<br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Application Number<br/>10/710,796</td> <td style="width: 50%; padding: 2px;">Filed<br/>August 3, 2004</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For: COMPUTER PROGRAM PRODUCT CONTAINING<br/>ELECTRONIC TRANSCRIPT AND EXHIBIT FILES AND METHOD<br/>FOR MAKING THE SAME</td> </tr> <tr> <td style="padding: 2px;">Art Unit<br/>2176</td> <td style="padding: 2px;">Examiner<br/>HERNDON, HEATHER R</td> </tr> </table> |  | Application Number<br>10/710,796 | Filed<br>August 3, 2004 | For: COMPUTER PROGRAM PRODUCT CONTAINING<br>ELECTRONIC TRANSCRIPT AND EXHIBIT FILES AND METHOD<br>FOR MAKING THE SAME |  | Art Unit<br>2176 | Examiner<br>HERNDON, HEATHER R |
| Application Number<br>10/710,796  | Filed<br>August 3, 2004   |  |                                  |                         |   |  |                  |                                |
| For: COMPUTER PROGRAM PRODUCT CONTAINING<br>ELECTRONIC TRANSCRIPT AND EXHIBIT FILES AND METHOD<br>FOR MAKING THE SAME   |   |  |                                  |                         |   |  |                  |                                |
| Art Unit<br>2176  | Examiner<br>HERNDON, HEATHER R  |  |                                  |                         |   |  |                  |                                |
| Applicant hereby appeals to the Board of Patent of Appeals and Interferences from the last decision of the examiner:<br><br>The fee for this Notice of Appeal is (37 CFR 1.17 (b)) <span style="float: right;">\$500.00</span><br><br><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$250.00</span><br><input type="checkbox"/> A check in the amount of the fee is enclosed.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>08-2623</u> . I have enclosed a duplicate copy of this sheet.<br><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a)(PTO/SB/22) is enclosed.<br><br><b>WARNING: Information of this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b> |   |  |                                  |                         |   |  |                  |                                |
| I am the<br><input type="checkbox"/> applicant/inventor<br><input type="checkbox"/> assignee of record of the entire interest.<br>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.<br>(Form PTO/SB/96)<br><input checked="" type="checkbox"/> attorney of agent or record.<br>Registration number <u>44,974</u><br><br><input type="checkbox"/> attorney or agent action under 37 CFR 1.34.<br>Registration number if acting under 37 CFR 1.34 _____  | <br>_____<br>Signature<br><b>Shane M. Niebergall, Esq.</b><br>Typed or printed name<br><br><u>303-295-8034</u><br>Telephone number<br><br><u>October 8, 2007</u><br>Date   |  |                                  |                         |   |  |                  |                                |

☒ \* Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.